

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF WISCONSIN

*In the Matter of the Search of*

A USPS Priority Mail parcel 9505 5103 3161 0058 3590 25 (the "SUBJECT PARCEL"). The SUBJECT PARCEL is approximately 20 inches by 20 inches by 12 inches and weighs approximately 14 pounds and 9.6 ounces. The SUBJECT PARCEL's label indicates it is from "Mike T 638 Spruce St Berkeley, CA. 94709." The SUBJECT PARCEL bears a handwritten label addressed to "L.J. 8288 N. Edge O Woods Dr. Milw. WI 53223." The SUBJECT PARCEL was postmarked on February 27, 2020 in Richmond, California 94805. The postage paid was \$97.20.

20-MJ-96

APPLICATION & AFFIDAVIT FOR SEARCH WARRANT

I, Cleveland Brand, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

A USPS Priority Mail parcel 9505 5103 3161 0058 3590 25 (the "SUBJECT PARCEL"). The SUBJECT PARCEL is approximately 20 inches by 20 inches by 12 inches and weighs approximately 14 pounds and 9.6 ounces. The SUBJECT PARCEL's label indicates it is from "Mike T 638 Spruce St Berkeley, CA. 94709." The SUBJECT PARCEL bears a handwritten label addressed to "L.J. 8288 N. Edge O Woods Dr. Milw. WI 53223." The SUBJECT PARCEL was postmarked on February 27, 2020 in Richmond, California 94805. The postage paid was \$97.20.

located in the Eastern District of Wisconsin there is now concealed: **Please see attached affidavit, which is hereby incorporated by reference.**

The basis for the search warrant under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☒ contraband, fruits of a crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Title 21, United States Code, Sections 841(a)(1) and 843(b).


The application is based on these facts:

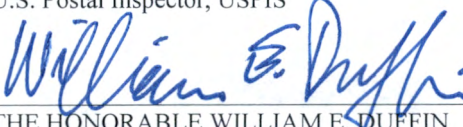
- ☒ Continued on the attached sheet, which is incorporated by reference.
- ☐ Delayed notice of \_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me, and signed in my presence.

Date 3/3, 2020

City and state: Milwaukee, Wisconsin

  
CLEVELAND BRAND  
U.S. Postal Inspector, USPS

  
THE HONORABLE WILLIAM E. DUFFIN  
United States Magistrate Judge  
Name & Title of Judicial Officer

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, Cleveland Brand, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND BACKGROUND**

1. I am a Postal Inspector with the United States Postal Inspection Service (USPIS). I have been so employed since July 2018.

2. The USPIS is the primary investigative arm of the United States Postal Service (USPS) and is charged under Title 18, United States Code, Section 3061 with the enforcement of laws governing the use and movement of the United States Mail, including, but not limited to, the misuse and fraudulent schemes involving the mail, crimes relating to mail fraud, narcotics trafficking, and identity theft involving the United States Mail.

3. I am currently assigned to a multi-functional team in Milwaukee, Wisconsin. This team investigates mail theft, fraud, theft of postal property, prohibited mailings, controlled substances, and other matters related to the Postal Service.

4. I hold a bachelor's degree in Computer Networking from Robert Morris University. I have used my training and experience to locate and identify multiple parcels containing narcotics and drugs. Based on my training received at the USPIS Career Development Unit, personal experience, on-the-job training, and working with other Postal Inspectors and investigators from the Wisconsin High Intensity Drug Trafficking Area (HIDTA), I know that controlled and non-controlled substances, drug paraphernalia, and drug proceeds are sent through the United States Postal Service system, and I am familiar with many of the methods used by individuals who use and attempt to use the mail system to illegally distribute controlled substances.

5. During course of my time with the USPIS, I have used my training and experience to locate and identify multiple parcels containing narcotics and drugs. I have also participated in numerous complex narcotics investigations which involved violations of state and federal controlled substances laws including Title 21, United States Code, Sections 841(a)(1), 843(b), and 846, and other related offenses.

6. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

#### **PURPOSE OF AFFIDAVIT**

7. This affidavit is made in support of a search warrant for the **SUBJECT PARCEL** (described below) for items which constitute the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1), 843(b), and 846; to seize any controlled substance, and any paraphernalia associated with the manufacture and distribution of controlled substances including packaging materials and containers to hold controlled substances; proceeds of drug trafficking activities, such as United States currency, money orders, bank checks, precious metals, financial instruments; and drugs or money ledgers, drug distribution or customer lists, drug supplier lists, correspondence, notations, logs, receipts, journals, books, records, and other documents noting the price, quantity, or times when controlled substances were obtained, transferred, sold, distributed, or concealed.

#### **PARCEL TO BE SEARCHED**

8. This affidavit is made in support of an application to search USPS Priority Mail parcel 9505 5103 3161 0058 3590 25 (the “**SUBJECT PARCEL**”). The **SUBJECT PARCEL**

is approximately 20 inches by 20 inches by 12 inches and weighs approximately 14 pounds and 9.6 ounces. The **SUBJECT PARCEL**'s label indicates it is from "Mike T 638 Spruce St Berkeley, CA. 94709." The **SUBJECT PARCEL** bears a handwritten label addressed to "L.J. 8288 N. Edge O Woods Dr. Milw. WI 53223." The **SUBJECT PARCEL** was postmarked on February 27, 2020 in Richmond, California 94805. The postage paid was \$97.20.

### **INVESTIGATION OF THE SUBJECT PARCEL**

9. I review Postal Service records and labels shipped between the Milwaukee area and narcotics source areas. I do this because I know, based on my training and experience, drug traffickers will sometimes use Priority Mail service, which is the USPS's three to four day delivery product. Based on my training and experience with the USPIS, I know drug traffickers use First Class Mail, Priority Mail, and Priority Mail Express delivery service because of its reliability and the ability to track the article's progress to the intended delivery point. In my training and experience, traffickers will often use fictitious names or addresses, along with incomplete names and addresses in an attempt to hide their trafficking efforts from law enforcement.

10. On February 29, 2020, I was made aware of the **SUBJECT PARCEL** by a local Post Office because the **SUBJECT PARCEL** gave off a marijuana-like odor. The **SUBJECT PARCEL** is a Priority Mail parcel traveling from a Post Office in Richmond, California, a known source location for drugs mailed to the state of Wisconsin. That parcel is intended for an address in Milwaukee, Wisconsin.

11. Due to information described above, I had the **SUBJECT PARCEL** rerouted to Milwaukee, Wisconsin for further investigation.

12. Based on my training and experience, I am aware that California is a source area for controlled substances. As such, controlled substances are frequently transported from California via the USPS, and the proceeds from the sale of the controlled substances are frequently returned to the state via the USPS. These proceeds are generally in large amounts of money.

13. The Consolidated Lead Evaluation and Reporting (“CLEAR”) database is a public records product, which is designed for law enforcement officers in locating subjects and witnesses, verifying identities of individuals, and gathering background information for use in investigations. A search of the CLEAR database revealed that no person with the initials “L.J.” currently lives or has lived at 8288 N. Edge O Woods Dr. Milwaukee. WI 53223.

14. On March 3, 2020, I met with Milwaukee Police Detective Eugene Nagler and his drug detection canine “FLORA” at the Milwaukee P&DC Post Office Customer Parking lot located at 345 West Saint Paul Avenue, Milwaukee, Wisconsin 53203. Detective Nagler is the current handler of “FLORA.” Together, Detective Eugene Nagler and FLORA are a certified Police Narcotic Detection Team, accredited through the Indiana Law Enforcement Training Academy, Provider 5000-80, in the detection of heroin, cocaine, marijuana, methamphetamine, and other controlled substances made with like components. Detective Nagler and FLORA were certified on February 14, 2014, January 20, 2015, January 18, 2016, January 13, 2017, January 18, 2018, February 1, 2019, and February 6, 2020. Detective Nagler and FLORA were also certified by the American Working Dog Association on January 20, 2015. Detective Nagler received an additional 120 hours of single-purpose narcotics detector dog handling training January 27 – February 14, 2014. Detective Nagler received an additional 120 hours of single-purpose narcotic detector dog handling training between January 27, 2014

and February 14, 2014. Detective Nagler is a current member of the North American Police Work Dog Association and the American Working Dog Association (AWD), as required by the State of Wisconsin Controlled Substances Board. Detective Nagler states that FLORA has alerted to the presence of the controlled substance that she is trained to detect over 500 times during training.

15. On March 3, 2020, I placed the **SUBJECT PARCEL** on the ground of the customer parking lot of the Milwaukee P&DC with four other similarly-sized empty parcels. FLORA located and alerted to the **SUBJECT PARCEL**. Detective Nagler informed me that FLORA's alert indicates the presence of controlled substances or other items, such as proceeds of controlled substances, which have been recently contaminated with or associated with the odor of one or more controlled substances.

16. The **SUBJECT PARCEL** is currently being held at the USPIS Milwaukee Domicile, located at 345 West Saint Paul Avenue, Milwaukee, Wisconsin 53203.

17. Based upon the information as outlined in this affidavit, I believe there is probable cause to indicate the contents of the **SUBJECT PARCEL** are drug-related and, therefore, constitute the fruits, instrumentalities, and evidence of violations of Title 21, United States Code, Sections 841(a)(1), 843(b), and 846. Accordingly, I respectfully request the issuance of a search warrant directing the search of the **SUBJECT PARCEL** for evidence of a crime, contraband, fruits of a crime, or other items illegally possessed.

18. Because the investigation is ongoing and its success would be jeopardized if the contents of this affidavit were made public, I am requesting this affidavit be sealed until further order of the court.